

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

AARON SLOAN, Plaintiff,)
v.) C.A. No. 15-170 Johnstown
JOHN WETZEL, et al, Defendants.)

MEMORANDUM ORDER

This prisoner civil rights action was received by the Clerk of Court on June 19, 2015, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The magistrate judge's report and recommendation, issued on August 23, 2017, recommended that Defendants' motion to sever [ECF No. 37] be granted as follows: All allegations relating to the claim(s) of retaliation raised in paragraph 13 of the complaint should remain as against Defendants Hainsworth, Shaffer, Gehlmann, Joseph, Mazurkiewicz, Miller, Weimer, Hostetter, Gibson, McGrogan, Baker, Wingard, Stevens, and Grubb, only. All other allegations of the complaint should be severed, and all other Defendants should be terminated from this case. It further recommended that the motions to dismiss filed by Defendants Saavedra and Karumudi [ECF No. 45] and Defendant Plasso [ECF No. 53], be dismissed as moot. Service was made on Plaintiff by mail at SCI Greene, where he was incarcerated, and on Defendants. Objections were filed by Plaintiff on September 11, 2017. After de novo review of the

complaint and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 10th Day of October, 2017;

IT IS HEREBY ORDERED that Defendants' motion to sever [ECF No. 37] is granted as follows: All allegations relating to the claim(s) of retaliation raised in paragraph 13 of the complaint should remain as against Defendants Hainsworth, Shaffer, Gehlmann, Joseph, Mazurkiewicz, Miller, Weimer, Hostetter, Gibson, McGrogan, Baker, Wingard, Stevens, and Grubb, only. All other allegations of the complaint are severed, and all other Defendants are terminated from this case. It further ORDERED that the motions to dismiss filed by Defendants Saavedra and Karumudi [ECF No. 45] and Defendant Plasso [ECF No. 53], are dismissed as moot.

The report and recommendation of Magistrate Judge Baxter, issued August 23, 2017, is adopted as the opinion of the court.

October 10, 2017



KIM R. GIBSON
United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

all parties of record _____